

ASTH409

Monitor and respond to the potential for legal proceedings in a housing context



Overview

This standard is about monitoring the potential for legal proceedings and making management decisions on possible legal actions. It includes attending court proceedings on behalf of your organisation.

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Performance criteria

- You must be able to:*
- P1 monitor the potential for legal proceedings in accordance with your organisational requirements
 - P2 recognise and clearly identify circumstances where professional legal advice should be taken
 - P3 set out the grounds on which to proceed with legal action based on all the available information
 - P4 compile the relevant information and evidence required to support the process in line with organisational procedures
 - P5 take appropriate steps to initiate and support the required legal action
 - P6 appear in court on behalf of your organisation
 - P7 support witnesses during any legal proceedings
 - P8 inform all the relevant parties of the decision you have made
 - P9 maintain the confidentiality of information in accordance with organisational and legal requirements
 - P10 keep accurate and clear records of your actions
 - P11 ensure that your actions are in accordance with organisational and legal requirements

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Knowledge and understanding

You need to know and understand:

- K1 how a contract is broken or breached
- K2 the requirements and law relating to the regulation of contracts
- K3 how to identify appropriate procedures for different types of legal action
- K4 your organisational and legal requirements
- K5 the circumstances where legal action is appropriate
- K6 what information is required to make a judgement on the potential for legal proceedings
- K7 how to produce an effective brief for submission to legal advisors
- K8 how and why the confidentiality of information should be maintained
- K9 sources of advice and help concerning legal action
- K10 your own role in initiating and supporting legal action
- K11 the needs of witnesses
- K12 how to keep accurate and clear records

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Suite Housing

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